THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No.7861 of 2006

DATED: 20.4.2006

Between:

M.R.Swamy petitioner

and

The Depot Manager,

APSRTC, Gadwal Bus Depot respondent

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION No.7861 of 2006

ORAL ORDER:

The petitioner is employed as a Conductor in APSRTC. He was issued a charge sheet dated 19-02-1999 alleging that tickets worth Rs.19,695/- were not accounted for by him and he was required to show cause as to why the value of the tickets, be

not recovered from him. He submitted his explanation. Again, the respondent issued a charge sheet, dated 12-05-2005. Having not satisfied with the explanation submitted by him, the respondent issued a show cause notice dated 29-06-2005, for which also, he submitted explanation but without considering the same, the respondent passed a final order, dated 22-07-2005, directing for recovery of a sum of Rs.19,695/- from the salary of the petitioner in 20 instalments. Hence, the writ petition.

It is submitted by the learned counsel for the petitioner and admitted to by the learned Standing Counsel for the respondents that the subject-matter of this writ petition is squarely covered by a judgment of this Court in W.P. No. 18936 of 2005, dated 29.08.2005, wherein a learned single Judge of this Court, following the judgment of the this Court in **CH.P.REDDY v. APSRTC,** disposed of the writ petition holding that it is only the printing and stationery charges that can be recovered in the event of loss of tickets, not followed by any further allegation of misuse.

Since in the instant case also, the respondents have sought to recover the value of the tickets, the impugned order in view of the above order, cannot be sustained. Hence, the impugned order is set aside and the writ petition is allowed. It is, however, left open to the respondents to recover printing and stationery charges from the petitioner for the tickets that were lost in his hands. It is represented that certain amount has already been recovered from the petitioner. The same shall be refunded to him after deducting the printing and stationery charges of the tickets.

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N.V.RAMANA, J

DATE: 20.4.2006

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